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7       UNITED STATES DISTRICT COURT FOR THE  
8           WESTERN DISTRICT OF WASHINGTON  
9           AT SEATTLE

10      UNITED STATES OF AMERICA,

NO. CR20-126 RAJ

11           Plaintiff,

**INFORMATION**

12           v.

13      DARRELL N. WINSTON,

14           Defendant.

16      The United States Attorney charges that:

17                           **COUNT 1**  
18                           **(False Statements)**

19      A.     *Background*

20       1.     At all times relevant to this Information, Defendant, DARRELL N.  
21     WINSTON, operated a small business named City Biz that purportedly performed  
22     electrical, plumbing, and excavation work.

23       2.     Until his resignation in May 2019, A.T. was a commissioner for King  
24     County Drainage Districts 5 and 5A (collectively, “DD5”). The commissioners of DD5  
25     were responsible for the construction and maintenance of drainage systems, including  
26     drains and ditches, within DD5.

27       3.     In 2018, A.T. asked DARRELL N. WINSTON to provide him invoices for  
28     work supposedly done cleaning DD5 ditches. DARRELL N. WINSTON subsequently

1 provided A.T. with two invoices: one dated October 8, 2018, in the amount of  
2 \$24,083.57; and one dated January 2, 2019, in the amount of \$29,671.37.

3       4. After receiving these invoices, A.T. and A.T.'s wife, J.T., who acted as  
4 secretary for DD5, submitted requests to the King County Treasurer's office to pay the  
5 invoices. The King County Treasurer's office subsequently issued two checks to City  
6 Biz, the first dated October 30, 2018, in the amount of \$24,083.57, and the second dated  
7 January 11, 2019, in the amount of \$30,759.51.

8       5. DARRELL N. WINSTON deposited each of these checks into a business  
9 checking account associated with City Biz. DARRELL N. WINSTON deposited the  
10 \$24,083.57 check on November 2, 2018. That same day, he withdrew money and  
11 purchased a cashier's check in the amount of \$20,760.00 payable to A.T., which in turn  
12 was deposited into the joint bank account of A.T. and J.T. that same day.

13       6. DARRELL N. WINSTON deposited the \$30,759.51 check on January 14,  
14 2019. The next day, he withdrew money and purchased a cashier's check in the amount  
15 of \$21,125.00 payable to A & L Dairy, a dairy farm operated by A.T. and J.T. A.T.  
16 deposited that check into an account that A.T. and J.T. controlled on that same day.

17       7. In May 2019, the Federal Bureau of Investigation opened an investigation  
18 into A.T.'s and J.T.'s theft of tax revenues from the taxpayers of DD5 during the period  
19 from 2012 through 2019.

20 B. *The September 25, 2019, Interview*

21       8. On September 25, 2019, DARRELL N. WINSTON agreed to be  
22 interviewed outside his residence by a Special Agent of the Federal Bureau of  
23 Investigation. Early in that interview, the FBI Special Agent told DARRELL N.  
24 WINSTON that it was a crime to lie to a federal law enforcement officer.

25       9. During the interview, DARRELL N. WINSTON stated that: he had  
26 submitted a formal bid to win the two contracts with DD5; he had rented equipment to  
27 perform each job; and, he had performed approximately a week's work on each contract.

1       10. When asked whether he had paid any money to A.T. related to the work for  
 2 DD5, DARRELL N. WINSTON initially denied that he had paid any money to A.T. or  
 3 provided any cashier's checks to A.T. DARRELL N. WINSTON subsequently stated  
 4 that he might have given A.T. "a couple thousand dollars" as "a tip" for helping him out,  
 5 but that this was not "a bribe."

6       11. After being shown copies of his cashiers' checks to A.T. and A & L Dairy,  
 7 DARRELL N. WINSTON stated that A.T. had paid for the equipment rental and that  
 8 A.T. had done a lot of the work, and that that was why DARRELL N. WINSTON had  
 9 paid money to A.T. DARRELL N. WINSTON denied that there had been any agreement  
 10 that he would pay A.T. in return for winning the contracts.

11 C. *The October 18, 2019, Interview*

12       12. On October 18, 2019, DARRELL N. WINSTON agreed to be interviewed  
 13 at the United States Attorney's Office by an FBI Special Agent and two Assistant United  
 14 States Attorneys. At the start of the interview, DARRELL N. WINSTON was again  
 15 advised that it was a crime to lie to a federal law enforcement officer.

16       13. During the interview, DARRELL N. WINSTON again stated that he had  
 17 submitted a bid proposal to A.T. to win the two contracts with DD5. DARRELL N.  
 18 WINSTON initially claimed that he had created this on S.Y.'s computer and that S.Y.  
 19 had helped him do so. DARRELL N. WINSTON subsequently claimed that S.Y. had  
 20 created the bid proposal because he did not know how to do so.

21       14. During the interview, DARRELL N. WINSTON again denied that there  
 22 had been any understanding upfront that he would pay A.T. DARRELL N. WINSTON  
 23 stated that A.T. ended up doing most of the work and that DARRELL N. WINSTON  
 24 therefore gave A.T. most of the money.

25       15. During the interview, DARRELL N. WINSTON was asked why he had  
 26 withdrawn more than \$20,000 from City Biz' business account on July 19, 2019, the  
 27 same morning on which law enforcement officers executed a search warrant at A.T. and  
 28 J.T.'s residence. DARRELL N. WINSTON initially stated that he did not recall, but later

1 stated that he withdrew the money because unknown people had been withdrawing  
2 money from his account. DARRELL N. WINSTON denied that he had learned of the  
3 search, and denied that the withdrawal related to the search.

4       16. These false statements were material because they concealed from the FBI  
5 the degree of coordination between DARRELL N. WINSTON and A.T. and J.T., and the  
6 extent to which DARRELL N. WINSTON's actions had been taken in furtherance of,  
7 A.T. and J.T.'s criminal activity.

8 D. *False Statements*

9       17. On or about October 18, 2019, at Seattle, in the Western District of  
10 Washington, DARRELL N. WINSTON did willfully and knowingly make a materially  
11 false, fictitious, and fraudulent statement and representation in a matter within the  
12 jurisdiction of the executive branch of the Government of the United States, by stating  
13 and representing to a Special Agent of the Federal Bureau of Investigation (1) that he had  
14 submitted a bid for work he performed for King County Drainage Districts 5 and 5A, a  
15 statement and representation that was false because, as DARRELL N. WINSTON then  
16 and there knew, he had not submitted any bid, and (2) that he withdrew more than  
17 \$20,000 from his City Biz account because unknown people had been withdrawing  
18 money from the account, a statement and representation that was false because, as  
19 DARRELL N. WINSTON then and there knew, he withdrew the money to conceal it

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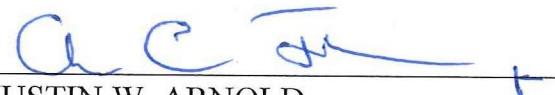
1 from federal law enforcement agents who he knew were executing a search warrant at  
2 A.T.'s and J.T.'s residence.

3 All in violation of Title 18, United States Code, Section 1001(a)(2).

4 DATED this 18<sup>TH</sup> day of August, 2020.

5   
6 BRIAN T. MORAN  
7 United States Attorney

8   
9 ANDREW C. FRIEDMAN  
10 Assistant United States Attorney

11   
12 JUSTIN W. ARNOLD  
13 Assistant United States Attorney